


STATE OF TENNESSEE 20 TH JUDICIAL DISTRICT CHANCERY COURT		SUMMONS		CASE FILE NUMBER 11-358-TH	
PLAINTIFF CWA PLAZA I and II APARTMENTS			DEFENDANT PACIFIC INSURANCE COMPANY, LIMITED		
TO: (NAME AND ADDRESS OF DEFENDANT) Pacific Insurance Company, Limited Serve: Commissioner of Insurance 500 James Robertson Parkway Nashville, TN 37243-0565			Method of Service: <input type="checkbox"/> Certified Mail <input type="checkbox"/> Davidson Co. Sheriff <input checked="" type="checkbox"/> *Comm. Of Insurance <input type="checkbox"/> *Secretary of State <input type="checkbox"/> *Out of County Sheriff <input type="checkbox"/> Private Process Server <input type="checkbox"/> Other *Attach Required Fees		
List each defendant on a separate summons.					
YOU ARE SUMMONED TO DEFEND A CIVIL ACTION FILED AGAINST YOU IN CHANCERY COURT, DAVIDSON COUNTY, TENNESSEE. YOUR DEFENSE MUST BE MADE WITHIN THIRTY (30) DAYS FROM THE DATE THIS SUMMONS IS SERVED UPON YOU. YOU MUST FILE YOUR DEFENSE WITH THE CLERK OF THE COURT AND SEND A COPY TO THE PLAINTIFF'S ATTORNEY AT THE ADDRESS LISTED BELOW. IF YOU FAIL TO DEFEND THIS ACTION BY THE ABOVE DATE, JUDGMENT BY DEFAULT CAN BE RENDERED AGAINST YOU FOR THE RELIEF SOUGHT IN THE COMPLAINT.					
Attorney for plaintiff or plaintiff if filing Pro Se: (Name, address & telephone number) T. Turner Snodgrass 404 James Robertson Parkway Suite 2100 Nashville, TN 37219 (615) 256-0100			FILED, ISSUED & ATTESTED MAR 15 2011 CRISTI SCOTT, Clerk and Master By:  1 Public Square Suite 308 Nashville, TN 37201 Deputy Clerk & Master		
NOTICE OF DISPOSITION DATE					
The disposition date of this case is twelve months from date of filing. The case must be resolved or set for trial by this date or it will be dismissed by the Court for failure to prosecute pursuant to T.R.C.P. 41.02 and Local Rule 18. If you think the case will require more than one year to resolve or set for trial, you must send a letter to the Clerk and Master at the earliest practicable date asking for an extension of the disposition date and stating your reasons. Extensions will be granted only when exceptional circumstances exist.					
TO THE SHERIFF:			DATE RECEIVED		
			Sheriff		

***Submit one original plus one copy for each defendant to be served.

ADA Coordinator, Cristi Scott (862-5710)

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

CWA PLAZA I and II APARTMENTS)

Plaintiff)

vs.)

PACIFIC INSURANCE COMPANY,
LIMITED)

Defendant)

No. 11-558-M

FILED
2011 MAR 15 PM 3:53
DAVIDSON COUNTY CHANCERY CT.
DC&M

COMPLAINT

Comes the Plaintiff, CWA Plaza I and II Apartments, by and through its attorney, and for its cause of action would state to the Court as follows:

1. Plaintiff is an apartment development located at 500 Shelby Street in Nashville, Tennessee.
2. Defendant is an insurer not licensed to transact insurance in the State of Tennessee and issued the policy in question as a surplus line coverage pursuant to the Tennessee Insurance Statutes and has its principal place of business at 150 Federal Street, Boston, Massachusetts 02110.
3. In consideration of monies paid by the plaintiff to the defendant, the defendant issued and delivered to the plaintiff a policy of insurance, being policy # ZG 0028541, insuring five multi-family apartment buildings against risks, including fire for a period of one year from January 24, 2004. A copy of the policy of insurance is attached hereto as Exhibit A.
4. The plaintiff, at the time of the issuance of the policy and up to the time of the loss and damage incurred was the owner of all buildings insured by the policy.
5. While the policy was in full force and effect, on or about February 9, 2004, The insured premises were damaged by fire.

6. Thereafter, timely notice of the loss and damage was properly given by the plaintiff to the defendant, and the plaintiff rendered statements of loss, all in accordance with the terms of aforesaid policy.

7. Defendant paid a portion of the Plaintiff's loss but has refused to pay the balance of construction costs, the loss of vacancy and other fire related expenses in the total amount of \$126,223.66.

8. On March 17, 2010, Plaintiff received notice from Defendant that no further voluntary payments would be made on Plaintiff's claim.

PREMISES CONSIDERED, PLAINTIFF PRAYS

1. That all proper process issue, requiring the defendants to appear and make defense to this complaint.

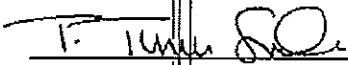
2. That upon the hearing of this cause Plaintiff be awarded judgment against the Defendant in the amount of \$126,223.66 plus prejudgment interest thereon from June 1, 2005.

3. That the Defendant be required to pay Plaintiff's reasonable attorney's fees.

4. That the Defendant be required to pay the costs of this cause.

5. For such further relief to which the Plaintiff may be entitled.

Respectfully Submitted,


T. Turner Snodgrass #7318
404 James Robertson Parkway, Suite 2100
Nashville, TN 37219
(615) 256-0100